

Notice of Allowability

Application No.

09/823,783

Applicant(s)

HARPER, MARK A.

Examiner

Naeem Haq

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/14/2005.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Response to Amendment

This action is in response to the Applicant's After-Final amendment filed on September 14, 2005. Claims 1-20 are pending and will be considered for examination.

Allowable Subject Matter

Claims 1-20 are allowed.

The following is an examiner's statement of reasons for allowance: Statement of allowance is in reference to independent claims 1, 12, and 19. All other claims are dependencies of these independent claims.

The present application is directed to an apparatus and method for locally setting and storing customer preferences for a computer peripheral device having a consumable. Independent claims 1, 12, and 19 recite the uniquely patentable feature that when an order for a consumable is placed, the user preferences are forwarded to the computer peripheral device having an embedded web server and a messaging system.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Discussion of most relevant prior art:

The following references have been identified as the most relevant prior art to the claimed invention.

(i) US Patent Publication 2002/0042747 A1 to Istvan. Istvan teaches that software within a printer (i.e. computer peripheral device) automatically prompts a user at a computer terminal for a printer refill of a consumable. Istavn also teaches that users are allowed to customize preferences. However, Istvan does not teach or suggest forwarding user preferences to a peripheral device having an embedded web server and a messaging system when an order for the consumable is placed.

(ii) Dialog File 15 (Douglas Rath) hereafter referred to as Rath. Rath discloses that the Xerox C55 MP printer is equipped with an embedded web server for accessing many of the printer's options. However, Rath does not teach or suggest forwarding user preferences to the peripheral device when an order for the consumable is placed.

(iii) Dialog File 15 (Jeff Bliss) hereafter referred to as Bliss. Bliss discloses a printer equipped with an embedded web server and a web address to enable resellers to access printer information via the Internet. However, Bliss does not teach or suggest forwarding user preferences to the peripheral device when an order for the consumable is placed.

(iv) Dialog File 16: Dialog discloses a printer equipped with an embedded web server for remote printer management and for alerting users when the toner (i.e. consumable) is low. However, Dialog does not teach or suggest forwarding user preferences to the peripheral device when an order for the consumable is placed.

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(v) EP 0 715 221 A1 to Yamashita et al. hereafter referred to as Yamashita. Yamashita discloses an invention that manages the consumables for a plurality of copiers.

However, Yamashita does not teach or suggest forwarding user preferences to a peripheral device having an embedded web server and a messaging system when an order for the consumable is placed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (571)-272-6758. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn W. Coggins can be reached on (571)-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'D. H.', with a long horizontal flourish extending to the right.

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Naeem Haq, Patent Examiner
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November 12, 2005



WYNN W. COGGINS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600